

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

2020 APR 20 AM 10:38

United States of America
v.
Ludwig ARMENDARIZ
Itzel Alicia HAYASHI-ITO

Case No.

EP-20-M-2230-RFC (1)(2)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 17, 2020 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

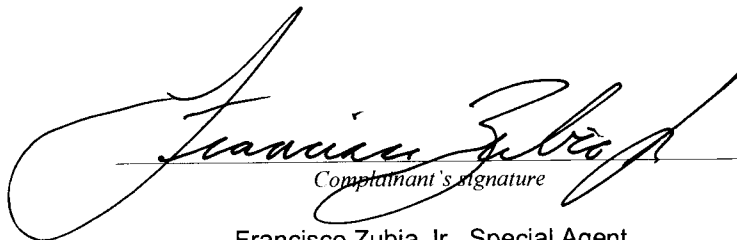
21USC 960 & 952

Offense Description

On or about April 17, 2020, in El Paso county, in the Western District of Texas defendant(s) did, knowingly and intentionally conspire to import with the intent to distribute approximately 19.24 kilograms (gross weight) of marijuana, a Schedule I Controlled Substance; and knowingly and intentionally imports with the intent to distribute approximately 19.24 kilograms (gross weight) of marijuana, a Schedule I Controlled Substance.

This criminal complaint is based on these facts:

Please see attached affidavit.

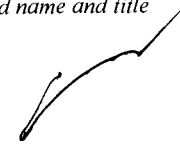
☒ Continued on the attached sheet.


Complainant's signature

Francisco Zubia Jr., Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/20/2020


Judge's signature

City and state: El Paso, Texas

Robert F. Castaneda, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn
At 1:00 PM
Fed.R.Crim.P.4.1(b)(2)(A)

Affidavit

On Friday, 17, 2020, at approximately 8:53 pm, Itzel Alicia HAYASHI-ITO and Ludwig ARMENDARIZ, attempted to make entry into the United States utilizing the Bridge of Americas (BOTA) Port of Entry (POE) located in the Western District of Texas, driving a 2008 Ford Focus red in color in color with Mexican plates A38SBB2. Custom and Border Protection Officers (CBPO) conducted an inspection of the vehicle and revealed approximately 19.24 kilograms of marijuana concealed inside the rear bumper, Glove box, and front right quarter panel of the vehicle.

CBPO obtained a negative declaration from ARMENDARIZ. CBPO asked ARMENDARIZ where he was coming from and his purpose of going to Juarez, Mexico which ARMENDARIZ replied that he was coming from visiting family. CBPO asked ARMENDARIZ who the vehicle belonged and for how long which ARMENDARIZ replied that it was uncles and that he is the only one that drives it for the last two months. CBPO stated that he then swiped HAYASHI -ITO passport, a computer-generated mandatory referral appeared and referred the vehicle for secondary.

CBPO at secondary obtained a second negative declaration from ARMENDARIZ. CBPO stated that ARMENDARIZ continued to look back at the vehicle while a K9 was conducting a search. CBPO advised that the he was advised of a positive alert by K9 officer.

At approximately 1:22 am. HAYASHI-ITO was readvised of her Miranda Warnings by Special Agent (SA) Francisco Zubia and witnessed by Task Force Officer (TFO) Aaron Fierro which HAYASHI-ITO waived her rights and was willing to continue to speak to agents. The interview was conducted in English.

SA Zubia asked HAYASHI-ITO what she was smuggling, how much she was getting paid and where was she taking the vehicle. HAYASHI-ITO stated that she did not know what type of drugs she was taking but knew it was narcotics, was going to get paid \$3,000 U.S. currency, and was going to receive a text of where to take the narcotics.

At approximately 1:55 am. ARMENDARIZ was readvised of his Miranda Warnings by Special Agent (SA) Francisco Zubia and witnessed by Task Force Officer (TFO) Aaron Fierro which ARMENDARIZ waived his rights and was willing to continue to speak to agents. The interview was conducted in English.

SA Zubia asked ARMENDARIZ what he was smuggling into the U.S., how much was he getting paid and where he was taking the narcotics. ARMENDARIZ stated that he was smuggling "Reggie" which he explained to be low grade marijuana, was getting paid \$2,400 U.S. currency. ARMENDARIZ stated that he was going to remove the marijuana at his residence and deliver it to an unknown person at the outlet malls located at 7051 S. Desert Blvd, Canutillo, Texas 79935.